



City of Seattle

Gregory J. Nickels, Mayor

**Department of Planning & Development**

D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 3004317

**Applicant Name:** Debora Goodman

**Address of Proposal:** 2803 SW Dakota St.

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to subdivide one parcel of land into three unit lots. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not to each of the new unit lots. The construction of a one two-unit townhouse is being reviewed under Project #6069622 and the construction of one new single family and one new duplex townhouse is being reviewed under 6069618.

The following approval is required:

**Short Subdivision** - To divide one parcel of land into three unit lots.  
(Seattle Municipal Code Chapter 23.24)

**SEPA DETERMINATION:** ☒ Exempt    ☐ DNS    ☐ MDNS    ☐ EIS  
☐ DNS with conditions  
☐ DNS involving non-exempt grading, or demolition, or another agency with jurisdiction.

**BACKGROUND DATA**

Site Description

The proposal site is approximately 5,105 square feet and is located in a Multi-Family Lowrise One (L-1) zone on SW Dakota St. between 28<sup>th</sup> Avenue S.W. and 30<sup>th</sup> Avenue S.W. in the West Seattle Neighborhood. SW. Dakota Street is a two-lane paved street with sidewalks, curbs, and gutters on both sides. The lot has approximately 50-feet of street frontage on S.W. Dakota St. The site is also approximately 102-ft deep. There is a single-family residence on-site, which is to be removed by Permit #6070387. Vehicular access for the site is from S.W. Dakota St. Site vegetation includes grass and shrubs.

### Area Development

Zoning in the vicinity is Lowrise One (L-1). Along the east side of 28<sup>th</sup> Avenue S.W. is LDT zoning and to the northeast is an area of Industrial Buffer (IB U/85) zoning. The immediate and surrounding areas are predominately single-family and multi-family use. Directly along the east side of 28<sup>th</sup> Avenue S.W. is an undeveloped area owned by the City of Seattle Parks Department.

### Proposal Description

The applicant proposes to subdivide one parcel of land into three unit lots. Proposed unit lot sizes are: A) 2,249 square feet, B) 1,433 square feet, and C) 1,423square feet. Parking is provided in under structure garages. An Ingress, Egress and Utility Easement from S.W. Dakota St. will be provided for pedestrian access and required vehicle access for all units.

### Public Comments

No comment letters were received during the comment period that ended on March 29<sup>th</sup>, 2006.

### **ANALYSIS - SHORT SUBDIVISION**

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all of the following facts and conditions are found to exist. The findings which follow are based upon information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD), review from Seattle Public Utilities, Seattle Fire Department and Seattle City Light, and review by the Land Use Planner.

#### 1. Conformance to the applicable Land Use Code provisions;

The construction of a one two-unit townhouse is being reviewed under Project #6069622 and the construction of one new single family and one new duplex townhouse is being reviewed under 6069618. These construction permits will conform to all development standards for townhouses in the L-1 zones for the parent lot. The unit lots proposed by this subdivision conform to the standards for unit lot subdivisions (SMC 23.24.045) and other code provisions applicable to unit lot subdivisions. Any new development must conform to code requirements for the parent lot at the time of application.

#### 2. Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005;

Vehicular access to each of the parcels will be from the S.W. Dakota St. Parking is provided in under structure garages. An Ingress, Egress and Utility Easement from S.W. Dakota St. will be provided for pedestrian access and required vehicle access for all units.

In order to insure that the use and maintenance responsibilities associated with the common areas are clear, the applicant/responsible party will be required to record an easement maintenance agreement with the final short plat.

The Seattle Fire Department has reviewed the proposed lot configuration with regard to fire protection and emergency vehicle access and has no objection. No improvements were requested by the Fire Department.

Seattle City Light requires an overhead/underground power easement over the west 6 feet of Unit Lot A and the east 12 feet of Unit Lot A.

As conditioned, this short plat provides for adequate access for vehicles, utilities, and fire protection.

3. Adequacy of water supply, sanitary sewage disposal, and drainage;

#### Sanitary Sewer

The existing property is connected by means of single sidesewer to an 8-inch public sanitary sewer (PSS) located within SW Dakota St. This mainline was originally constructed as a combined sewer, and as such, there are likely to be downspouts and area drains still connected to what is now considered to be, for purposes of redevelopment, a sanitary sewer.

#### Drainage

As referred to above, this area has been “separated” with the construction of a 15-inch public storm drain (PSD) in the downslope intersection between SW Dakota St. and 28<sup>th</sup> Avenue SW. This area is within the Longfellow Creek watershed.

Seattle Public Utilities reviewed the unit lot subdivision application and approved a Water Availability Certificate, **No. 20060467 on March 16<sup>th</sup>, 2006**. All conditions on the certificate must be met prior to receiving water service.

4. Whether the public use and interests are served by permitting the proposed division of land;

The proposed unit lot subdivision meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in this analysis and decision. The public use and interests are served by permitting the proposed division of land.

5. Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical areas;

The site is not mapped as an Environmentally Critical Area.

6. Is designed to maximize the retention of existing trees;

Not applicable, as the development of the subject site is permitted by approval of the associated building permit. No trees are expected to be removed as a result of this short subdivision.

7. Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.

Section 23.24.045 of the Seattle Municipal Code provides that under certain circumstances some types of parcels may be created that do not individually meet the zoning requirements for lot size, setbacks, density, and structure width and depth. These are called unit lot subdivisions and may be permitted as long as the development as a whole meets development

standards. However, as a result of this subdivision, development on the individual lots may be non-conforming. To assure that future owners have constructive notice that additional development may be limited due to non-conformities; the following statement shall be required to be included as a note on the final short subdivision: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."

### **DECISION - SHORT SUBDIVISION**

The proposed Short Subdivision is **CONDITIONALLY GRANTED**.

### **CONDITIONS - SHORT SUBDIVISION**

#### **Prior to Recording**

The owner(s) and responsible party(s) shall:

1. Provide final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcel or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with appropriate state statute. The property corners set shall be identified on the plat and encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the proposed property lines. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed property lines dimensioned. A licensed surveyor shall stamp the short plat drawings.
2. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."
3. Provide a joint maintenance and responsibility agreement for maintenance and use of shared walls on property lines and all ingress, egress and utility easements.
4. Provide an easement for proper posting of address signage that is visible from the street.

Signature: (signature on file)  
Joan S. Carson, Land Use Planner II  
Department of Planning and Development  
Land Use Services

Date: May 11, 2006